

ENTERED

March 20, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 THE M/Y *GALACTICA STAR* et al.)
)
 Defendants in Rem)
)
)
)


Case No. 4:17-cv-02166**ORDER GRANTING JOINT MOTION FOR FORFEITURE JUDGMENT AGAINST
REMAINING DEFENDANT ASSETS**

Plaintiff United States of America (“the Government” or “Plaintiff”), together with Claimant Federal Republic of Nigeria (“Claimant” or “the Nigerian Government”), has brought a motion for forfeiture judgment against the remaining Defendant assets in this case. Such assets comprise: (1) approximately \$10,398,592.80 in the Government’s Seized Asset Deposit Fund (“SADF”), comprising the substitute *res* for the Defendant assets identified in Paragraph 9(b-e) of the Government’s operative Complaint (Dkt. 35); and (2) the asset identified in Paragraph 9(f) of the operative Complaint, constituting all rights and interests held by Rivermount International Ltd., or its affiliates or assignees, in the Subordinated Convertible Promissory Note executed between Cross Holdings, Inc., and Rivermount International Ltd., dated on or about July 15, 2015, as varied or amended by the parties thereto, and all property traceable thereto (collectively “Remaining Defendant Assets”).

The Court, having considered the motion and the papers relating thereto, HEREBY
ORDERS, ADJUDGES AND DECREES:

1. This Court has jurisdiction over Plaintiff, the Remaining Defendant Assets, Claimant, and the subject-matter of this action.
2. The Government has given and published notice of this action as required by law, including Supplemental Rule G for Admiralty or Maritime Claims and Asset Forfeiture Actions, the Federal Rules of Civil Procedure, and the Local Rules of this Court.
3. Aside from the Nigerian Government, there are no other current claimants to the Remaining Defendant Assets with standing to challenge forfeiture of the Remaining Defendant Assets.
4. The allegations in the operative Complaint (Dkt. 35) are sufficient to establish a basis for forfeiture.
5. The Government shall have judgment as to the Remaining Defendant Assets. The Government shall use or dispose of said assets in accordance with law and represents that it plans to seek authorization to use such assets for the benefit of the people of Nigeria, in consultation with the Nigerian Government and consistent with U.S. Government law and policy.
6. The Court finds that there was reasonable cause for the institution of this action. This judgment shall be construed as a certificate of reasonable cause pursuant to 28 U.S.C. § 2465.
7. Each of the parties shall bear its own fees and costs in connection with this action.

Dated: March 20, 2023

By: 
Hon. Keith P. Ellison
U.S. District Judge